

Bill No. VII-B of 1964

**THE DELHI RENT CONTROL (AMENDMENT)
BILL, 1964**

(AS REPORTED BY THE JOINT COMMITTEE)

[Words underlined indicate the amendments suggested by the Committee; asterisks indicate omissions].

▲

BILL

further to amend the Delhi Rent Control Act, 1958.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Delhi Rent Control (Amend- Short title.
ment) Act, 1968.

5 of 1958.

2. In section 14 of the Delhi Rent control Act, 1958 (hereinafter Amendment
referred to as the principal Act), in sub-section (1),— of section 14.

(i) after clause (d), the following clause shall be inserted,
namely:—

“(dd) that the premises which have been let for non-residential purpose have not been used by the tenant without reasonable excuse for the purpose for which they were let for a continuous period of six months preceding the date of the filing of the application for recovery of possession;”;

(ii) for clause (h), the following clause shall be substituted,
namely:—

“(h) that the tenant has, whether before or alter the commencement of this Act, or any member of his family dependent on him and residing with him has, after the com-

mencement of the Delhi Rent Control (Amendment) Act, 1968, built, acquired vacant possession of, or been allotted, a residence;";

* * * * *

(iii) after clause (j), the following clauses shall be inserted, namely:—

"(jj) that the tenant has, without the consent in writing of the landlord or of the Municipal Corporation of Delhi or of the New Delhi Municipal Committee or of any other competent authority to sanction building plans, as the case may be, erected any permanent and substantial structure on the premises;

(jjj) that the tenant or any person residing with the tenant has been guilty of conduct which is a nuisance or annoyance to the adjoining or neighbouring occupiers, or has been convicted of using the premises or allowing the premises to be used for immoral or illegal purposes;".

Amendment of section 23. 3. To section 23 of the principal Act, the following proviso shall be added, namely:—

"Provided that no residential building shall be converted into non-residential building except with the permission in writing of the Central Government."

Insertion of new section 54 A. 4. After section 54 of the principal Act, the following section shall be inserted, namely:—

Exemptions

"54A. Notwithstanding anything contained in this Act, the Central Government may, by order and for reasons to be recorded in writing, direct that all or any of the provisions of this Act shall not apply to any particular premises or class of premises, and every such order shall be notified in the Official Gazette."

B. N. BANERJEE,
Secretary.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 2

PART II—Section 2

प्रधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

संख्या 63] नई दिल्ली, सोमवार, दिसम्बर 9, 1969/अग्रहायण 18, 1890
No. 63] NEW DELHI, MONDAY, DECEMBER 9, 1969/AGRAHAYANA 18, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate numbering is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 9th December, 1968:—

Bill No. 111 of 1968

A Bill to provide for a change in representation in the Legislative Assembly of Nagaland and for that purpose to make consequential amendments in the State of Nagaland Act, 1962 and the Representation of the People Act, 1950.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Legislative Assembly of Nagaland Short title. (Change in Representation) Act, 1968.

2. For the period referred to in clause (2) of article 371A of the Constitution, the total number of seats allotted to the Legislative ^{Change in} _{representa-} _{tion in the}

Legislative
Assembly of
Nagaland.

Assembly of Nagaland shall be increased from forty-six to fifty-two, of which—

(a) the seats allocated to the Tuensang district shall be increased from six to twelve and shall be filled by persons chosen by the members of the regional council, referred to in that article, from amongst themselves in such manner as the Governor of Nagaland, after consulting that council may, by notification in the Official Gazette, specify, and

(b) the remaining forty seats shall be filled by persons chosen by direct election from assembly constituencies in the rest of the State of Nagaland.

Amend-
ment of
Act 27
of 1962

3. In the proviso to sub-section (1) of section 11 of the State of Nagaland Act, 1962,—

(i) for the figures "46", the figures "52" shall be substituted.

(ii) for the words "six seats", the words "twelve seats" shall be substituted.

Amend-
ment of
Act 43
of 1950

4. In the Representation of the People Act, 1950,—

(a) in the proviso to sub-section (1) of section 7,—

(i) for the word "forty-six", the word "fifty-two" shall be substituted;

(ii) for the words "six seats", the words "twelve seats" shall be substituted;

(b) in the Second Schedule, in the entries relating to "11. Nagaland", in column 5, for the figures "46", the figures "52" shall be substituted.

Saving
as to
present
Legisla-
tive As-
sembly.

5. Nothing in this Act shall affect any representation in the present Legislative Assembly of Nagaland until its dissolution.

STATEMENT OF OBJECTS AND REASONS

In clause (2) of article 371A of the Constitution, special provisions have been made for the administration of Tuensang district of Nagaland being carried on by the Governor for a period of ten years from the date of the formation of the State of Nagaland or for such further period as the Governor may, on the recommendation of the Regional Council, by public notification specify in this behalf.

2. Under section 11(1) of the State of Nagaland Act, 1962, the total number as seats to be filled by persons chosen by direct election in the legislative Assembly of Nagaland shall be 60, but for the period referred to in article 371(2), the total number of seats in the Legislative Assembly of Nagaland shall be 46 of which 6 seats shall be allocated to the Tuensang district to be filled by persons chosen by the members of the Regional Council from amongst themselves and the remaining 40 seats shall be filled by persons chosen by direct election from Assembly constituencies in the rest of the State of Nagaland.

3. Since the total number of seats in the Legislative Assembly of Nagaland has been fixed at 60 and since the State of Nagaland, other than the Tuensang district, has been allocated 40 Assembly seats, the share of Tuensang district should, on the basis of its population, be 20 against which they are allocated, for the duration of the period referred to above, only 6 seats. It has been felt that this representation of Tuensang district in the Legislative Assembly of Nagaland, during the period aforesaid, is adequate even considering that special arrangements have been made for the administration of that district for this period and that as provided in clause (2) (c) of article 371A, no Act of the Legislature of Nagaland can automatically apply to that district. Accordingly, the Legislative Assembly of Nagaland has, on the recommendation of the Regional Council of Tuensang district, passed a resolution recommending that the allocation of seats to Tuensang district in the State Assembly be increased for the period aforesaid from 6 to 12 and all these may continue to be filled by persons chosen by members of the Regional Council from amongst themselves.

4. The Bill seeks to achieve the above object.

NEW DELHI;

SURENDRA PAL SINGH.

The 26th November, 1968.

S. L. SHAKDHER,
Secretary.

